

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80667**

This is to certify that: **IDAHO WATER CO LLC**
1135 VALLEY RD S
EDEN, ID 83325

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
21-13121	WR/DECREED	10/31/1986	0.020 cfs	4.8 af	1.4	156.4	GROUND WATER
21-13149	WR/DECREED	1/27/1976	0.060 cfs	12.0 af	3.4	156.4	GROUND WATER

Purpose of Transfer (Changes Proposed)

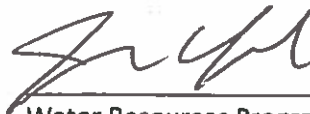
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
21-13121	YES	YES	YES	NO	NO	NO
21-13149	YES	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
21-13121	25-14430	0.010 cfs	2.6 af	0.8	156.4	21-13121	0.010 cfs	2.2 af	0.6	156.4
21-13149	25-14429	0.030 cfs	6.5 af	1.8	156.4	21-13149	0.030 cfs	5.5 af	1.6	156.4
COMBINED TOTALS		0.030 cfs	9.1 af	2.6	2.6		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 18th day of October, 2016.



Water Resources Program Manager

SUPPORT DATA

Transfer No. 80667

IN FILE # 21-13121

WATER RIGHT NO. 21-13149**As Modified by Transfer No. 80667**

In accordance with the approval of Transfer No. 80667, Water Right No. 21-13149 is now described as follows:

Right Holder: IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN, ID 83325

Priority Date: 1/27/1976

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.030 cfs

0.030 cfs

Diversion Volume

5.5 af

5.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWNW

Sec 20 Twp 09N Rge 42E FREMONT County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	42E	20			40.0	40.0			39.0	37.4									156.4

Right Acre Limit: 1.6

POU Total Acres: 156.4

CONDITIONS OF APPROVAL

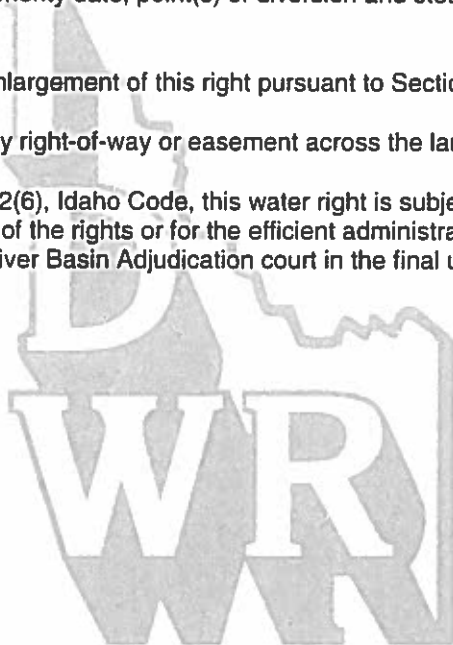
1. This right is limited to the irrigation of 1.6 acres within the authorized place of use in a single irrigation season.
2. Rights 21-13121 and 21-13149 when combined shall not exceed a total diversion rate of 0.03 cfs.
3. Rights 21-13121 and 21-13149 are limited to the irrigation of a specific 2.2 acres within the 156.4 acre place of use authorized by this right in a single irrigation season. The specific 2.2 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 2.2 acres to be irrigated within the 156.4 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Transfer No. 80667

WATER RIGHT NO. 21-13149
As Modified by Transfer No. 80667

CONDITIONS OF APPROVAL

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Any future action following transfer approval 76808, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right.
7. Right No. 21-13121 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
8. This right does not grant any right-of-way or easement across the land of another.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 25-14429**As Modified by Transfer No. 80667**

In accordance with the approval of Transfer No. 80667, Water Right No. 25-14429 is now described as follows:

Right Holder: IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN, ID 83325

Priority Date: 1/27/1976

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.030 cfs

0.030 cfs

Diversion Volume

6.5 af

6.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NESW

Sec 17 Twp 03N Rge 40E BONNEVILLE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	40E	17									2.6								2.6

Right Acre Limit: 1.8

POU Total Acres: 2.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.8 acres within the authorized place of use in a single irrigation season.
2. Rights 25-14429 and 25-14430 when combined shall not exceed a total diversion rate of 0.03 cfs, and the irrigation of 2.6 acres.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. This right does not grant any right-of-way or easement across the land of another.
6. Right No. 25-14430 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

WATER RIGHT NO. 25-14429

As Modified by Transfer No. 80667

CONDITIONS OF APPROVAL

7. The diversion and use of water described in Transfer 80667 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
8. Prior to diversion and use of water described in Transfer 80667 the right holder or its successor-in-interest shall join the Bonneville Jefferson Ground Water District through a petition for annexation or by contract, with such annexation or contract approved or executed with one (1) year of the date of this transfer approval.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 21-13121**As Modified by Transfer No. 80667**

In accordance with the approval of Transfer No. 80667, Water Right No. 21-13121 is now described as follows:

Right Holder: IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN, ID 83325

Priority Date: 10/31/1986

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.010 cfs

0.010 cfs

Diversion Volume

2.2 af

2.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWNW

Sec 20 Twp 09N Rge 42E FREMONT County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	42E	20			40.0	40.0			39.0	37.4									156.4

Right Acre Limit: 0.6

POU Total Acres: 156.4

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 0.6 acres within the place of use described for this right.
2. Rights 21-13121 and 21-13149 when combined shall not exceed a total diversion rate of 0.03 cfs.
3. Rights 21-13121 and 21-13149 are limited to the irrigation of a specific 2.2 acres within the 156.4 acre place of use authorized by this right in a single irrigation season. The specific 2.2 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 2.2 acres to be irrigated within the 156.4 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. This right is based upon an enlargement of Right No. 21-13149 pursuant to Section 42-1426, Idaho Code.

WATER RIGHT NO. 21-13121

As Modified by Transfer No. 80667

CONDITIONS OF APPROVAL

5. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. Any future action following transfer approved 76808, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right.
9. This right does not grant any right-of-way or easement across the land of another.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 25-14430**As Modified by Transfer No. 80667**

In accordance with the approval of Transfer No. 80667, Water Right No. 25-14430 is now described as follows:

Right Holder: IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN, ID 83325

Priority Date: 10/31/1986

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.010 cfs

0.010 cfs

Diversion Volume

2.6 af

2.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NESW

Sec 17 Twp 03N Rge 40E BONNEVILLE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	40E	17									2.6								2.6

Right Acre Limit: 0.8

POU Total Acres: 2.6

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 0.8 acres within the place of use described for this right.
2. Rights 25-14429 and 25-14430 when combined shall not exceed a total diversion rate of 0.03 cfs, and the irrigation of 2.6 acres.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
5. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

Transfer No. 80667

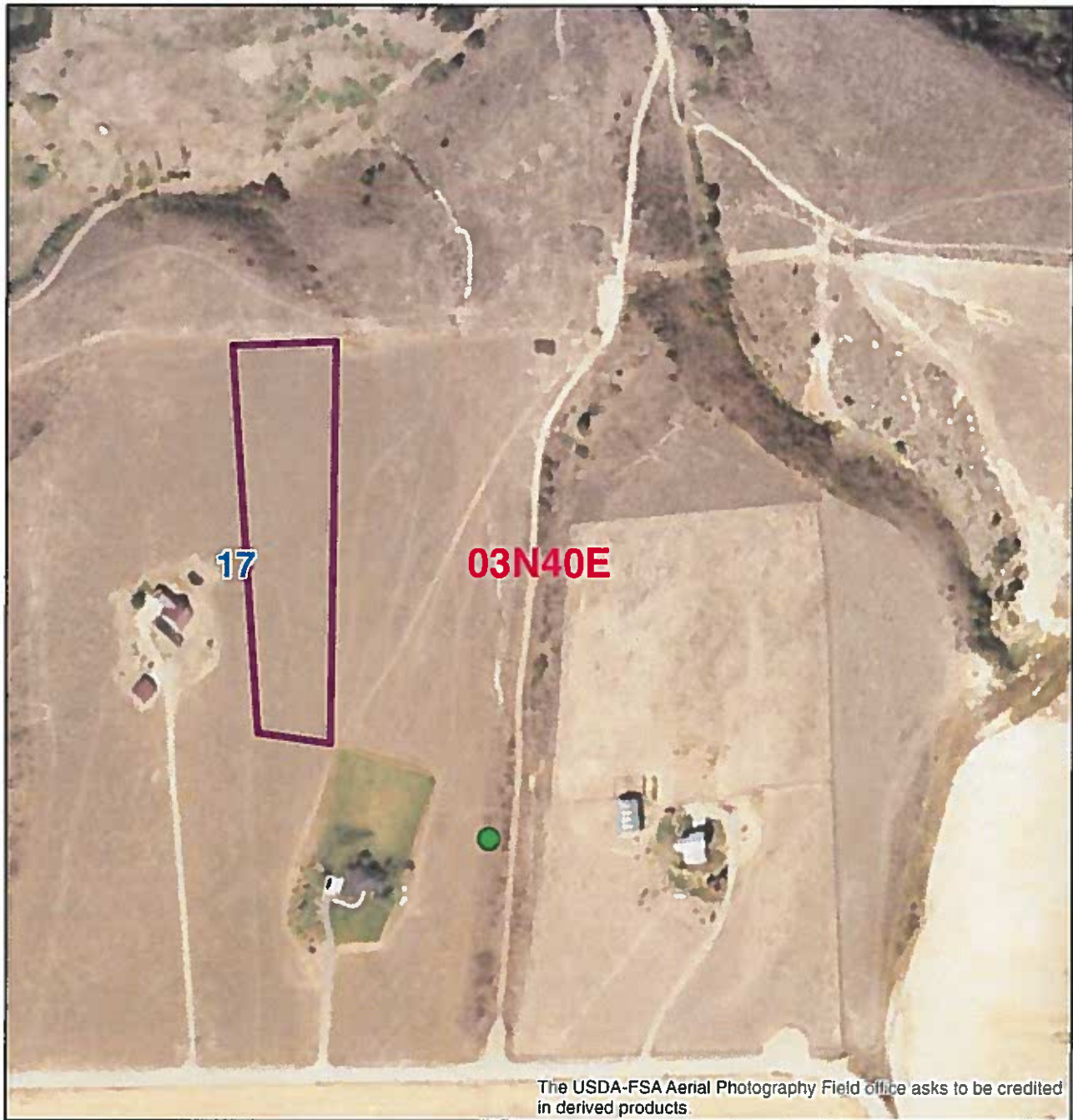
WATER RIGHT NO. 25-14430
As Modified by Transfer No. 80667

CONDITIONS OF APPROVAL

6. This right is based upon an enlargement of Right No. 25-14429 pursuant to Section 42-1426, Idaho Code.
7. This right does not grant any right-of-way or easement across the land of another.
8. The diversion and use of water described in Transfer 80667 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
9. Prior to diversion and use of water described in Transfer 80667 the right holder or its successor-in-interest shall join the Bonneville Jefferson Ground Water District through a petition for annexation or by contract, with such annexation or contract approved or executed with one (1) year of the date of this transfer approval.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer Approval 80667

This map depicts the IRRIGATION place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- Water Right POD
- Water Right POU
- Township/Range
- Sections

0 130 260 520 Feet

1 inch = 286 feet

